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SEC. 10. The state controller is hereby directed to draw warrants in favor of the said department at such times and in such amounts as shall be approved by the state board of control, and the state treasurer is hereby directed to pay the same.—Introduced by Mrs. Saylor, Jan. 22, 1919. Referred to the Committee on Prisons and Reformation. Assembly Bill No. 489, A. V.

For Criminal Records in Illinois.—The Chicago Crime Commission, organized under the auspices of the Chicago Association of Commerce, is attempting to secure an adequate system of criminal records for Illinois. To that end it has had a bill introduced in the state legislature to amend "An Act in relation to the civil administration of the state government, and to repeal certain acts therein named," approved March 7, 1917, in force July 1, 1917, by providing for a State Custodian of Criminal Records and Information in the Department of Public Welfare, and by prescribing his powers and duties. (Since this matter was put into type the bill has been considerably altered and reported out favorably by the committees of the Senate and the House respectively, and passed by the Senate. It is known as S. B. 475 and H. B. 675. In our next number we will publish the modified draft.—ED.)

Below is the amendment as it relates to the powers and duties of the custodian:

Sec. 53a. The custodian of criminal records and information shall have power, and it shall be his duty:

1. To gather, keep, receive and preserve in permanent books and records provided for that purpose, reports, data and information of and concerning complaints of felonies and misdemeanors committed or suspected, the name or names of the party or parties suspected, if known, or a personal description of such suspect, together with the name and address of the complainant or informant; the date upon which and the place where the alleged offense was committed; the department or officer to whom the same was referred for investigation and its or his action thereon; the date of arrest, if any, and the court and the branch thereof taking jurisdiction of the complaint and the action taken by the court thereon; the action of the grand jury, if any, upon such complaint and the date thereof; the amount of bond fixed, the date of furnishing same, and the names and addresses of the sureties thereon; the judgment and sentence of the court in cases of indictment and information and the date of suing out a writ of error, if any; the action of the appellate or supreme court; the date of confinement in the jail, penitentiary, or such institution as the defendant is committed to; the length of time actually served there; date of parole, pardon or discharge and reasons therefor, except where discharged on account of expiration of time fixed in sentence of court; the amount of fine, if any, imposed and date of payment or satisfaction thereof; in case of forfeiture or bail for non-appearance, or other reason, date of collection of amount of bond, and of beginning suit upon such bond, name of court in which begun and action of court thereon; if no suit upon such bond is instituted or settlement of liability thereon made the reasons for not taking necessary action to collect; action of the court in cases of non-appearance as to issuing process for apprehension of fugitive, name of officer to whom process given for service, with date thereof and action taken by such officer. He shall also keep an additional and separate record containing the names and addresses of sureties on bonds furnished in cases of felonies and

misdeemeanors, with the names of the principals, the amount of the bond, the title of the case in which furnished, and the court where pending and information as to whether such bond is still in force.

2. It shall be the duty of the sheriff of each county of the state, the chief officer of the police departments of the several cities of the state, and the police officers or constables of the several towns and villages of the state, to report to the custodian of criminal records and information daily all complaints made to them or any of them or their respective departments of felonies or misdemeanors committed or claimed to have been committed; giving also in such reports the information or so much thereof as is in their possession described in the preceding paragraph.

3. It shall be the duty of the coroner in each county to report daily to the custodian of criminal records and information all deaths by violence or undue means reported to him, with the name and address, if practicable, of the informant, and to report daily the results of inquests held and the verdict of the coroner's jury thereon, together with the names and addresses of the witnesses, if any; name or names of person or persons suspected or accused of being guilty of or implicated in any homicide by violence or undue means, and whether the facts have been reported to the sheriff, the police department or the state's attorney, and the recommendation, if any, made by the coroner to the sheriff, police department or state's attorney.

4. It shall be the duty of the clerk of the municipal court of Chicago, the clerk of the criminal court of Cook County, and the clerks of the courts in counties other than Cook County having jurisdiction of criminal offenses to report in writing to the custodian of criminal records and information as and when action is taken in such courts, such of the information, when available, as is in their possession, as is described and referred to in paragraph one of this section; said clerks shall promptly report the names of the accused and the offenses charged in all indictments returned by the grand juries of the several counties at the time when the same are filed in court and the names of the accused and the offenses charged in informations filed by the state's attorneys of the several counties promptly upon the same being filed in court.

5. It shall be the duty of the superintendent of prisons, superintendents or keepers of all institutions in this state used in whole or in part for the confinement of persons accused or convicted of felonies and misdemeanors to report daily in writing to the custodian of criminal records and information the names of persons confined and the dates upon which such confinement commenced of all persons committed to such places of confinement for or on account of the commission of any felony or misdemeanor; the date of parole, pardon or discharge and the reasons for such discharge, except where discharged on account of expiration of time fixed in the sentence of the court; and the length of time actually served by each prisoner.

6. It shall be the duty of the superintendent of pardons and paroles to report to the custodian of criminal records and information at least ten days prior to each sitting of the board at which application for pardon or parole are to be considered the name of each prisoner whose application is to be considered, together with a description of the offense for which he has been confined and the name or names, if any, and addresses, of the witnesses to be examined in support of such application, and the name or names of such

persons, if any, as have endorsed or approved such application, and also copies or the substance of any documents, letters or written or printed matter intended to be used in support of such application. It shall further be his duty to report within ten days after any recommendation has been made concerning the discharge, parole or further confinement of such prisoner the nature of such recommendations and the reasons therefor.

7. The records of the custodian of criminal records and information shall be open to the public for inspection at all reasonable times during regular business hours, except that the name and address of informants or complainants may be kept in a separate record not open to public inspection, and excepting that the names of the persons accused or suspected, or under investigation on account of complicity in, the commission of reported felonies and misdemeanors shall not in advance of apprehension or being taken into custody be placed upon such public records, and such names and addresses pending the apprehension of said person or persons shall not be open to public inspection.

8. Upon the request of any judge of any court of record in this state or of any state's attorney of any county or of the attorney general of the state, it shall be the duty of the custodian of criminal records and information to furnish a transcript of the records of his office pertaining to any person or persons concerning whom he has any record. The expense of furnishing such transcript shall be borne by the state. Where authenticated transcripts of such records are furnished to other than the officials named in this paragraph the same shall be charged for on the same basis as charges are made by clerks of courts of record in this state for certified copies of papers and pleadings.

9. For willful failure or refusal to furnish the information, or any part thereof, herein required to be reported to the custodian of criminal records and information, a writ of mandamus may be awarded, directed to any officer required by this Act to furnish such information, which writ of mandamus shall be awarded by any court of competent jurisdiction of the county where said officer resides or has his office, upon the application of or on behalf of said custodian of criminal records and information, which writ shall direct said officer forthwith to report said information to the custodian of criminal records and information.

10. The custodian of criminal records and information is hereby authorized to provide and furnish to the several officers and departments printed forms to be made by them as required hereby, and it shall be the duty of such officers and departments in making their reports to use such forms.

11. Any person charged with the performance of any duty hereunder who shall knowingly and wilfully fail to perform such duty, and any person who shall knowingly and wilfully fail to make the reports herein required to be made by him, without valid excuse therefor, or shall knowingly and wilfully report false information to the custodian of criminal records and information, or shall knowingly and wilfully alter and falsify any of the records of said custodian of criminal records and information, in any material respect, or shall knowingly and wilfully prevent or obstruct or attempt to prevent or obstruct the custodian of criminal records and information, in securing and gathering any of the information hereby required to be furnished, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one thousand dollars or confined in the county jail not exceeding one year, or by both such fine and imprisonment.